

REGULAR MEETING AGENDA

Wednesday, May 18, 2016 7:45 P.M.
Public Meeting Room 206
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

OPENING

Requests to the ZBA involve important legal property rights. The proposal may expand one owner's limitations and reduce another's protections as defined within the Zoning Regulations. Therefore, any information considered must be clearly provided and all hearing comments are recorded. **Please speak only into the microphones near the podium. In order to avoid unnecessary distractions, please silence all electronic/communication devices and avoid side conversations** within the meeting room and hallway near the door.

The ZBA will make every reasonable effort to complete this agenda in a timely manner. However, complications may arise and it may be difficult to properly consider all of the requests tonight. You can be helpful by making your presentation efficiently. Due to necessary scheduling of ZBA members, and possible involvement with other Board/Commission review, the following items may be considered out of sequence. Application requests may be heard and then deliberated one by one rather than all the deliberations occurring at the end of the meeting. Please understand that one or more hearing items may need to be opened and continued to a subsequent meeting and some hearings may be completed tonight but ZBA deliberation of the requests may be postponed to a later date. After the hearing of the project you are interested in is concluded, you may choose to make subsequent inquiries about a possible decision to ZBA office staff at 203-656-7351 during regular business hours.

PUBLIC HEARINGS

CALENDAR NO. 16-2016

The application of Tara & Brendan Sobolewski submitted on April 15, 2016 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of two story,

second story, dormer, and covered front porch additions; Section 406: 8.8 in lieu of 10.0 feet minimum required north side yard setback for the second story addition, 10.0 in lieu of 15.0 feet minimum required south side yard setback for the two story addition, 18.8 in lieu of 25.0 feet minimum required total of two side yards setback for the additions, 9.7 in lieu of 10.0 feet minimum required north side yard setback for the dormer, 29.0 in lieu of 30.0 feet minimum required front yard setback for the covered porch, and 20.0 in lieu of 24.0 feet minimum required parking backup space. The property is situated on the west side of Fitch Avenue approximately 50 feet north of the intersection with Archer Lane and is shown on Assessor's Map #42 as Lot #117, being 25 Fitch Avenue and located in an R-1/3 (residential) Zone.

CALENDAR NO. 17-2016

The application of Edward G. Davis, AIA on behalf of Daniel & Lindsay Kollar submitted on April 19, 2016 for an amendment to the previously approved plans of Calendar No. 25-1985 and variances of Sections 334 and 406 of the Darien Zoning Regulations; to allow the construction of a second story addition, and replacement rear stairs; Section 334: construction on a portion of the lot with 79.0 in lieu of 100.0 feet minimum required lot depth; and Section 406: 29.0 in lieu of 40.0 feet minimum required front yard setback; 19.9 in lieu of 25.0 feet minimum required rear yard setback for the second story addition; and 17.0 in lieu of 25.0 feet minimum required rear yard setback for the wood rear stairs; and construction of additional building volume on a lot with 21.5 in lieu of 20.0% maximum allowable building coverage. The property is situated on the north side of Oak Crest Road approximately 520 feet east of the intersection with Mansfield Avenue and is shown on Assessor's Map #15 as Lot #95, being 17 Oak Crest Road and located in an R-1/2 (residential) Zone.

CALENDAR NO. 18-2016

The application of Patrick & Lucille Ventker submitted on April 20, 2016 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of a second story addition; Section 406: 19.8 in lieu of 40.0 feet minimum required front yard setback and 39.8 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Locust Hill Road. The property is situated on the north side of Locust Hill Road approximately 300 feet west of the intersection with Settler's Trail and shown on Assessor's Map #38 as Lot #22, being 33 Locust Hill Road and located in an R-1/2 (residential) Zone.

CALENDAR NO. 19-2016

The application of Wilder G. Gleason, Esq. and Gleason & Associates LLC submitted on behalf of Susan N. Weaver submitted on April 20, 2016 for variances of Sections 361, 416 and 906.3 of the Darien Zoning Regulations; to allow the construction of a replacement two and one half story house with parking and terrace in the setback spaces; Section 361:

2.4 in lieu of 8.0 feet minimum required rear yard setback for preservation and expansion of the existing terrace structure; Section 416: 21.0 in lieu of 25.0 feet minimum required rear yard setback, 12.0 in lieu of 15.0 feet minimum required west side yard setback, 12.5 in lieu of 15.0 feet minimum required east side yard setback, 24.5 in lieu of 30.0 feet minimum required total of two side yards setback, and 22.24 in lieu of 20.0% maximum allowable building coverage for the replacement house; and Section 906.3: 5.0 in lieu 15.0 feet minimum required west side yard setback for a parking space. The property is situated on the south side of Baywater Drive approximately 20 feet east of the intersection with Plymouth Drive and shown on Assessor's Map #55 as Lot #97, being 21 Baywater Drive and located in the R-NBD (Noroton Bay District) Zone.

CALENDAR NO. 20-2016

The application of Wilder G. Gleason, Esq. and Gleason & Associates LLC submitted on behalf of BLCR Holdings LLC submitted on April 20, 2016 for variances of Sections 656, 904 and 923 of the Darien Zoning Regulations; to allow the construction of additions, with parking and signage; Section 656: 0.1 in lieu of 20.0 feet minimum required rear yard setback from the Center Street parking lot property line; 0.9 in lieu of 4.0 feet minimum required side yard setback from the northeast property line; Section 904: 10 in lieu of 13 minimum required parking spaces; Section 923.1c: installation of a wall sign on the northeast side of the building in lieu of a wall sign facing Old Kings Highway South; and Section 923.6: installation of a wall sign facing Center Street with 14.0 in lieu of 6.0 maximum square feet. The property is situated on the west side of Old Kings Highway South approximately 50 feet south of the intersection with Center Street and is shown on Assessor's Map #72 as Lot #36, being 22 Old Kings Highway South and located in the CBD (commercial) Zone.

DELIBERATIONS AND DECISIONS

Discussion, deliberation and possible decisions for Public Hearing request items listed above. Four affirmative votes out of the five seated ZBA members are required to approve a proposal. Decisions are made after the ZBA members review the public hearing comments, submitted plans and other application materials, and carefully consider possible stipulations to ensure the best possible project fit among the neighboring properties. If complications arise ZBA deliberation of the requests may be postponed or continued to a later meeting date.

OTHER BUSINESS

This portion of the meeting is not a Public Hearing. Applicants and other interested parties are welcome to quietly observe the ZBA and staff fulfilling their regulatory responsibilities for the overall benefit of the community. Any expression from the

audience is inappropriate and constitutes grounds for tabling the matter referred to or denying it without prejudice.

1. Requested six month extension, received May 9, 2016, to obtain all required permits and begin on-site construction for ZBA Calendar No. 33-2015, Ben & Trudie Larrabee, 26 Fairview Avenue. The Public Hearing of this matter was June 24, 2015. Initial ZBA approval would have expired on January 6, 2016. Following an August 20, 2015 request, on September 9, 2015 the ZBA granted a six month extension to July 6, 2016.
2. Requested six month extension, received April 21, 2016, to obtain all required permits and begin on-site construction for ZBA Calendar No. 49-2015, David & Michelle Donahue, 12 Catalpa Terrace. The Public Hearing of this matter was October 14, 2015. Initial ZBA approval would have expired on April 23, 2016.
3. Approval of Minutes of meeting on March 23, 2016. ZBA members attending this meeting were Jeff Williams, Vic Capellupo, Gary Greene, Mike Nedder, and Rich Wood.
4. Possible special meeting with Assistant Town Attorney John Louizos regarding ZBA procedures and policies.
5. General discussion of Application Materials, applicant identity, application review procedures, hearing guidelines, hardship criteria, decision practices/guidelines/staff questions, project fit relative to neighbor properties, supervision/inspection of construction projects, and/or requested changes.
6. Any other business (a minimum 2/3, 67%, i.e. 3/4, 4/5, or 4/6, favorable vote of members present and voting is required to add an item to the agenda).

ADJOURN